

Message Text

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TO SECSTATE WASHDC 6720

AEC GERMANTOWN 1113

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E.O. 11652: N/A

TAGS: TECH, EEC, US

SUBJECT: US-EURATOM TECHNICAL INFORMATION AGREEMENT

REF: (A) EC BRUSSELS 5989, (B) STATE 054849

1. EEC (HEYMEIJER) HAS SUBMITTED FOLLOWING OFFICIAL WORDING OF GERMAN RESERVATION TO US-EURATOM INFORMATION AGREEMENT IN ALL SIX COMMUNITY LANGUAGES. WORDING VERY CLOSELY PARALLELS THAT GIVEN UNOFFICIALLY IN REFTEL (A).

"THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY SIGNS THE MEMORANDUM OF UNDERSTANDING WITH THE RESERVATION THAT THE OBLIGATIONS ARISING OUT OF ART. II, PARA. 6 ARE TO BE FILLED WITHIN THE FRAMEWORK OF APPLICABLE NATIONAL COPYRIGHT LAW.

"DIE REGIERUNG DER BUNDESREPUBLIK DEUTSCHLAND UTERZEICHNET DAS ABKOMMEN MIT DEM VORBEHALT, DAAS DIE VERPFLICHTUNGEN AUS ART. II, NR. 6, IM RAHMEN DES JEWEILS GELTENDEN INNERSTAATLICHEN URHEBERRECHTS ZU ERFULLEN SIND.

"LE DOUVERNEMENT DE LA REPUBLIQUE FEDERAL D'ALLEMAGNE SIGNE LE MEMORANDUM D'ACCORD SOUS RESERVE DE CE QUE LES OBLIGATIONS DECOULANT DE L'ARTICLE II, NO 6 DOIVENT ETRE REMPLIES DANS LE

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CADRE DE LA LEGISLATION NATIONALE ENVIGUEUR SUR LES DROITS

D'AUTEUR.

"IL GOVERNO DELLA REPUBBLICA FEDERALE DI GERMANIA FIRMA IL MEMORDANDUM DI ACCORDO CON LA RISEVA CHE GLI OBBLIGHI DERIVANTI DALL'ART. II, NO 6 VENGANO ADEMPIUTI NEL GUADRO DELLA VIGENTE LEGISLAZIONE NAZIONALE SUI DIRITTI DI AUTORE.

"DE REGERING VAN DE BONDSREPUBLIC DUITSLAND ONDERTEKENT DE OVEREENKOMST MET HET VOORBEHOUD DAT AAN DE VERPULCHTINGEN VOLGENS ART. II, SUB 6 MOET WORDEN VOLDAAN IN HET KADER VAN HET GELDENDE NATIONAL AUTERUSRECHT.

"FORBUNDSREPUBLIKEEN TYP SKLANDS REGERING UNDERTEGNER AFTALEN MED FORBEHALD AF AT DE FORPLIGTELSE DER ER INDEHOLDT I ART. II, NR. 6, OPFYLDES INDEN FOR RAMMERNE AF DEN GAELDENDE NATIONAL LOVGIVNING OM OPHAVSRET."

2. HEYMEIJER ADVISES THAT GERMAN DELEGATION AND EEC LAWYERS HAVE NOICED PREFERENCE FOR ACCOMMODATING THE RESERVATION IN A PROCES-VERBAL AD HOC RATHER THAN AS AN ANNEX TO THE AGREEMENT ITSELF.

3. EEC HAS ADOPTED DEPARTMENT'S SUGGESTION (REFTEL (B)) ON SEQUENCING OF DIFFERENT LANGUAGE TEXTS.

4. ACTION REQUESTED: PLEASE ADVISE ON ACCEPTABILITY OF GERMAN RESERVATION WORDING AND IF THERE IS ANY OBJECTION TO THE PROCES-VERBAL TREATMENT OF IT.MYERSON

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